

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 134-19

AN ORDINANCE

amending Chapter 14 of the City Code as it relates to parking tickets and towing; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 14 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 14-306. Contesting a parking ticket.

A parking ticket may be contested by submitting a written statement to the municipal prosecutor within fifteen (15) days of issuance ~~court~~ identifying the ticket and stating the reason that the alleged violation should not be prosecuted. The statement shall contain the name and address of the person contesting the ticket. A separate statement shall be required for each ticket being contested. A written response shall be made ~~mailed~~ to the person contesting the ticket within ten (10) business days of receiving the statement contesting the parking ticket. The response shall state whether the prosecutor is granting or denying the request ~~intends to initiate prosecution for the alleged violation if the ticket is not paid~~.

Sec. 14-307. Impoundment of vehicles for ~~unpaid~~ outstanding parking tickets.

(a) A vehicle may be impounded if there are four (4) or more parking tickets issued against the vehicle which remain unpaid and which there has been no appearance or plea made by the assigned court date by a party with a valid interest in the cited vehicle more than fifteen (15) days after issuance. ~~If a parking ticket is contested, it shall not be counted as an unpaid ticket unless it remains unpaid after the vehicle has been finally adjudged to have been illegally parked.~~

(b) A vehicle shall not be impounded for unpaid parking tickets unless notice of eligibility for towing and impoundment has been affixed to the vehicle at least seventy-two (72) ~~twenty-four (24)~~ hours before the vehicle is towed. The notice shall state that the vehicle is eligible for towing and impoundment for unpaid parking tickets and shall include

contact information for paying or contesting the parking tickets and for requesting a hearing on whether the vehicle is eligible for impoundment.

(c) No vehicle shall be impounded under this section unless the vehicle is on a public street or in a public parking lot.

...

Sec. 14-312. Immobilization of vehicles for ~~unpaid~~ outstanding parking tickets.

(a) A vehicle may be immobilized by means of an immobilization device if there are four (4) or more parking tickets issued against the vehicle that remain unpaid and which there has been no appearance or plea made by the assigned court date by a party with a valid interest in the cited vehicle more than fifteen (15) days after issuance or, in the case of a contested ticket, after the vehicle has been finally adjudged to have been illegally parked. An "immobilization device" is a device that can be attached to a motor vehicle to prevent it from being driven. It is a violation of this Code to operate a vehicle secured with an immobilization device.

(b) Immobilization by means of an immobilization device shall be subject to the following:

- (1) No vehicle shall be immobilized unless the vehicle is found on a public street, public parking garage or public parking lot.
- (2) No vehicle shall be immobilized within the traveled portion of any street or portion of any street or sidewalk when the immobilization would create a hazard.
- (3) If the registered owner or operator of the vehicle fails to pay the outstanding parking tickets or fails to post a cash or surety bond for all unresolved parking tickets within seventy-two (72) ~~twenty-four (24)~~ hours of installation of an immobilization device, the city may have the vehicle towed to a place of impoundment.
- (4) Whenever a vehicle has been immobilized by means of an immobilization device, a notice shall be placed on the vehicle stating the time and date the immobilization device was placed on the vehicle, and briefly describing the means of securing removal of the immobilization device within the seventy-two (72) ~~twenty-four~~-hour period.

(c) The registered owner or operator of an immobilized vehicle may secure removal of the immobilization device within the seventy-two (72) ~~twenty-four~~-hour period either by payment of all outstanding parking tickets or by posting a cash or surety bond for all unresolved parking tickets.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor